

Docket Item # 3  
BAR CASE # 2011-0326

BAR Meeting  
January 4, 2012

**ISSUE:** Alterations to previously approved plans

**APPLICANT:** Jay & Judith Turim by M. Catherine Puskar

**LOCATION:** 616 South Royal Street

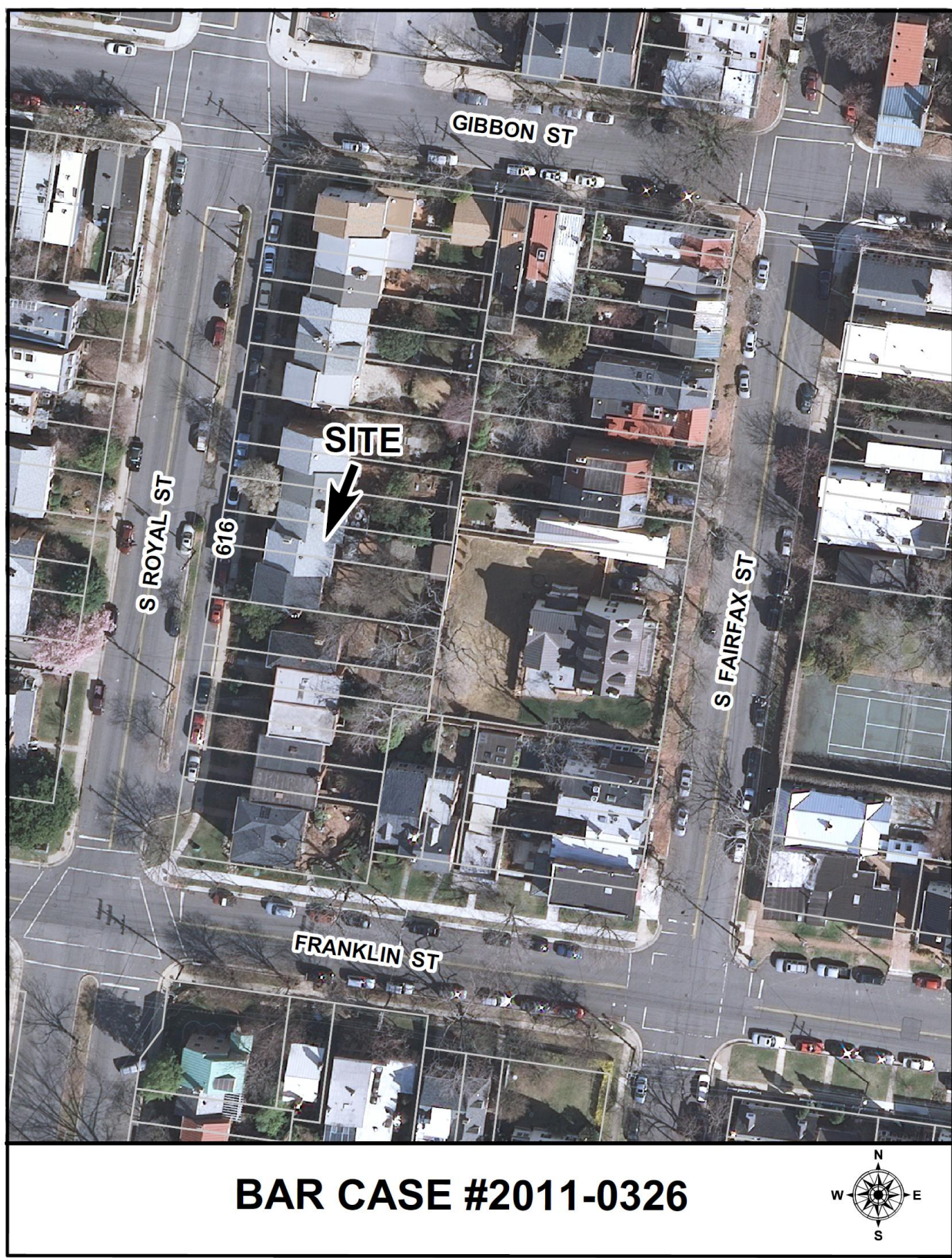
**ZONE:** RM/Townhouse Zone

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**STAFF RECOMMENDATION:** Staff recommends approval of the application as submitted.

**\*\*EXPIRATION OF APPROVALS NOTE:** In accordance with Sections 10-106(B) and 10-206(B) of the Zoning Ordinance, any official Board of Architectural Review approval will expire 12 months from the date of issuance if the work is not commenced and diligently and substantially pursued by the end of that 12-month period.

**\*\*BUILDING PERMIT NOTE:** Most projects approved by the Board of Architectural Review require the issuance of one or more construction permits by the Code Enforcement Bureau (including signs). The applicant is responsible for obtaining all necessary construction permits after receiving Board of Architectural Review approval. Contact Code Enforcement, Room 4200, City Hall, 703-746-4200 for further information.



**I. ISSUE:**

The applicant is requesting approval of an after-the-fact 4 inch height increase to a Board-approved 50 inch tall HVAC screen in the front yard at 616 South Royal Street. The HVAC enclosure measures approximately 11.5 feet wide by 54 inches high and is located to the north of the front door. No new construction is associated with the requested height increase, as the HVAC screening was constructed in 2003 at 54 inches and the discrepancy was only recently brought to Staff's attention.

**II. HISTORY:**

616 South Royal Street was built around **1960** as part of the Yates Garden Subdivision. The subdivision is comprised of Colonial Revival townhouses covering approximately 14 blocks of the southern portion of the Old and Historic Alexandria District.

**III. ANALYSIS:**

The existing HVAC units and fencing comply with the zoning ordinance.

The screening of the HVAC condenser at 616 South Royal Street has been before the Board on three occasions in the last 8 years:

- On February 5, 2003, the Board approved a 42 inch high flush board screen (BAR Case #2002-0243).
- On July 16, 2003, the BAR approved a modification to the HVAC screening to allow for a 38 inch board-on-board wood fence, with an additional 12 inches of wood lattice (BAR Case #2003-0163).
- In 2008, the applicant went to the Board for a number of alterations to the house, including a new gate and finials on the existing HVAC enclosure (BAR Case #2007-0175).

As a result of a recent complaint, Staff and the applicant were made aware of a 4 inch height discrepancy between the Board approved enclosure (50 inches high) and what was actually installed by the contractor (54 inches high). The 2008 BAR approval for minor modifications to the screening did not include a request for the additional 4 inch height because, at that time, neither the applicant, nor Staff, realized that the fence was not in compliance with the prior approvals. The applicant surmises that the contractors installed a 42 inch high fence in compliance with the first approval, and subsequently installed a 12 inch lattice in compliance with the later 2003 approval.

Staff has no objection to increasing the height of the HVAC screening 4 inches above the previous BAR approval. The Board has approved the HVAC screening enclosure in this location on more than one occasion and the 4" additional height of the original screen, when constructed in 2003, was consistent with the original design intent. If the height increase had been obvious or inappropriate at that time, Staff and the Board would have noted the inconsistency during previous reviews.

Another question recently brought to Staff's attention is whether the color of the screening is consistent with prior Board approvals. As the Board is aware, paint color is generally not



reviewed by the BAR, unless it is for the painting of unpainted masonry or the applicant voluntarily represents the colors during review of related construction. The *Design Guidelines* do, however, recommend that pressure treated fencing be either painted or stained. When the request for HVAC screening was first before the Board, the applicant represented that the screen would be painted the color of the house, which at the time was light blue. Later in 2003, when the BAR approved alterations to the screening, the approval was conditioned on the screening being "...painted to match the color of the house." Sometime after the BAR approved the new gate for the screening, as well as shutters, an entablature and a door surround in 2007, the house was a grey color and some of the new features were painted a contrasting dark color (the window and door trim is white).

Staff surveyed the other Yates Garden townhouses in this block with HVAC condensers located in the front yard and, with one exception, all of the wood portions of the HVAC screens (some are a combination of brick wall and wood screen) are painted the same color as the shutters (the one exception is a HVAC screen painted the color of the trim). Staff believes that it is likely that the Board's original intent was to ensure that the screen was painted, but not necessarily to dictate the exact color. As painted houses usually have two if not three contrasting colors (body, trim and accent shutters, etc.), the exact color selection is generally left up to the homeowner.

Therefore, Staff recommends approval of the application as submitted.

**STAFF**

Stephanie Sample, Historic Preservation Planner, Planning & Zoning  
Al Cox, FAIA, Historic Preservation Manager, Planning & Zoning

**IV. CITY DEPARTMENT COMMENTS:**

Legend: C - code requirement R - recommendation S - suggestion F- finding

**CODE ADMINISTRATION**

F-1 The review by Code Administration is a preliminary review only. A building permit is not required for this project based on USBC Section 108.2 (5). If there are any questions the applicant may contact Ken Granata, Acting Plan Review Supervisor at [ken.granata@alexandriava.gov](mailto:ken.granata@alexandriava.gov) or 703-746-4190.

**TRANSPORTATION & ENVIRONMENTAL SERVICES  
RECOMMENDATIONS**

R1. Applicant shall be responsible for repairs to the adjacent city right-of-way if damaged during construction activity. (T&ES)

- R2. No permanent structure may be constructed over any existing private and/or public utility easements. It is the responsibility of the applicant to identify any and all existing easements on all plans submitted for approvals. (T&ES)

**FINDINGS:**

- F1. An approved grading plan will not be required for the proposed improvement based on the information provided. (T&ES)
- F2. Previous approvals BAR2007-000175 and BAR2008-00010 were not reviewed by T&ES. (T&ES)

**CITY CODE REQUIREMENTS**

- C1. Any work from or within the public right-of-way requires a separate permit from T&ES. (Sec. 5-2) (T&ES)
- C2. Roof, surface and sub-surface drains shall be connect to the public storm sewer system, if available, by continuous underground pipe. Where a storm sewer is not available, the applicant must provide a design to mitigate impact of stormwater drainage onto adjacent properties and to the satisfaction of the Director of Transportation & Environmental Services. (5-6-224) (T&ES)
- C3. The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5, Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99). (T&ES)
- C4. The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES)
- C5. All improvements to the city right-of-way such as curbing, sidewalk, driveway aprons, etc. must be city standard design. (Sec. 5-2-1) (T&ES)
- C6. All secondary utilities serving this site shall be placed underground. (Sec. 5-3-3) (T&ES)

**V. IMAGES**

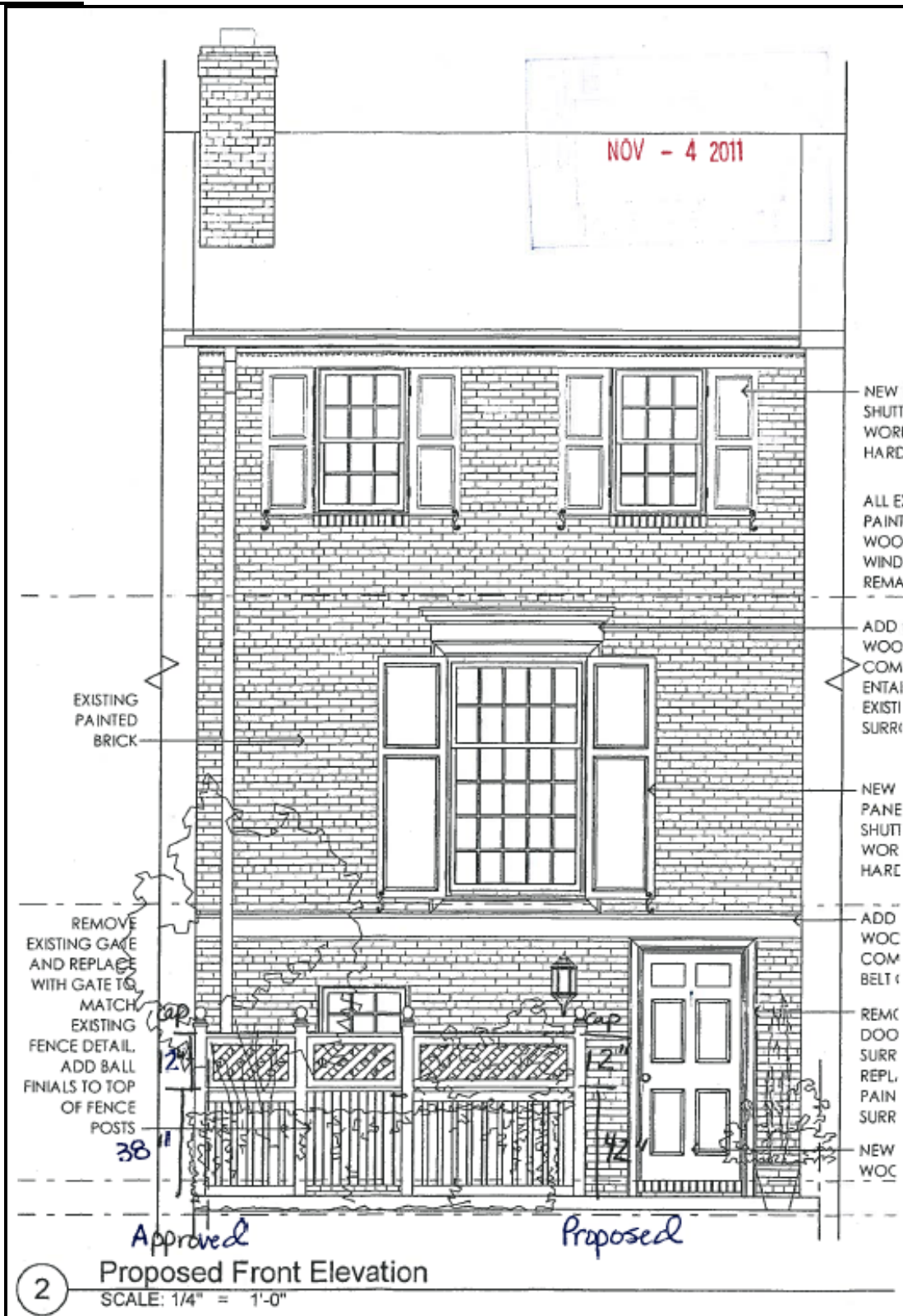


Figure 1: Drawing showing 2003 approved and existing/proposed fence height.  
The background elevation drawing is from the 2008 alterations.



**Figure 2: Photo showing the existing screening painted to match the front door and shutters.**